

JEFFREY S. CHIESA
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the State Board of Physical Therapy Examiners

FILED
BOARD OF PHYSICAL THERAPY
MAY 30 2013

By: Carmen A. Rodriguez
Deputy Attorney General
Tel. (973) 648-3696

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF PHYSICAL THERAPY
EXAMINERS

IN THE MATTER OF THE LICENSE OF

Administrative Action

LISA CIARDI, PT
License No.40QA00437900

CONSENT ORDER

LICENSED PHYSICAL THERAPIST
IN THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Physical Therapy Examiners (hereinafter referred to as the "Board") following the Board's review of a complaint regarding Proactive Sports Therapy (hereinafter Proactive), in Montclair, New Jersey. The complaint was filed by G.M. regarding improper delegation of duties to Physical Therapy Aides, which resulted in a burn to G.M.'s shoulder.

On February 3, 2012 G.M. went to Proactive for his regularly scheduled therapy session to assist with healing from surgery to his shoulder. G.M. was not Lisa Ciardi's (hereinafter Respondent) patient, however, because he arrived early and respondent was the only physical

therapist on hand at the time, G.M. was effectively under respondent's care. When G.M. arrived an aide named Mario Cala placed a hot pack on G.M.'s shoulder which was part of G.M.'s regular treatment. G.M. was under respondent's care for approximately twenty minutes until Matthew Cifelli, PT, G.M.'s regular therapist, arrived. When Matthew Cifelli, PT arrived, G.M. complained of pain. When the hot pack was removed G.M.'s shoulder was burned.

Respondent represented by Matthew Streger, Esquire, appeared before the Board on July 10, 2012 to answer questions under oath about this incident. The investigative inquiry revealed that Proactive currently has three licensed physical therapists on staff, one of whom is the respondent. The owner of Proactive, Steven Frohlick, is not a physical therapist. During the investigative inquiry, respondent testified that in the past, the placing of hot and cold packs was sometimes delegated to unlicensed aides. Respondent further stated that in this particular incident she was the only supervising physical therapist at the facility when Mario Cala, a non licensed physical therapist aide, placed the hot pack on G.M.'s shoulder.

The Board concludes that cause for disciplinary action against respondent exists as a result of the conduct detailed above. Specifically, the Board finds that respondent permitted an unlicensed person to perform an act for which a license or certificate of registration is required by the board, or aided and abetted an unlicensed person or entity in performing such act, contrary to N.J.S.A. 45:1-21(n), when she allowed an unlicensed person, specifically an aide, to administer hot and cold packs. The delegation of tasks to unlicensed persons is governed specifically by N.J.A.C. 13:39A-2.4. These facts establish a basis for disciplinary action.

The parties desiring to resolve this matter without the need for further disciplinary proceedings; and the respondent acknowledging and not contesting the findings of the Board; and

the Board having been satisfied that the within resolution adequately protects the public health, safety and welfare, and for good cause shown;

IT IS, THEREFORE, ON THIS 30th DAY OF May, 2013,

HEREBY ORDERED AND AGREED THAT:

1. The respondent, Lisa Ciardi, PT, is hereby formally reprimanded for her conduct in permitting an unlicensed individual to administer a modality to a patient in violation of N.J.A.C. 13:39A-2.4(b)5.

2. The respondent shall pay a civil penalty in the amount of \$2,500.00 for the aforementioned violations. Such penalty shall be paid over 18 monthly installments. The installment payments shall be made by certified check or money order made payable to the State of New Jersey and submitted to the State Board of Physical Therapy Examiners and sent to the attention of the Executive Director, Lisa Tadeo, at P.O. Box 45014, Newark, New Jersey 07101. Payments shall be due and owing on the 15th of each month commencing on or about June 15, 2013. The amount of payments for the civil penalty and the costs combined is \$167.22 for the first 17 monthly payments and the 18th payment shall be due on December 15, 2014 in the amount of \$167.26.. These payments are calculated on a total of \$3010.00 which includes the amount of the civil penalty and the amount of costs combined.

3. Respondent agrees to pay the costs of the investigation in the amount of \$510.00 which is due in 18 equal monthly installment payments. This amount has been incorporated in the installment payments as set forth in paragraph two.

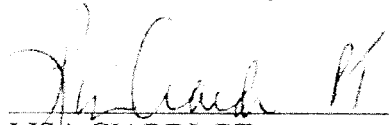
4. Should the respondent fail to make any installment payment on the date specified in the Order, the full amount of the outstanding balance shall become due and owing. Failure to remit

payment as required by this Order will result in the filing of a Certificate of Debt, including interest and such other proceedings as permitted by law.

BOARD OF PHYSICAL THERAPY EXAMINERS

By: _____
Karen Wilk, P.T., D.P.T.
Chair

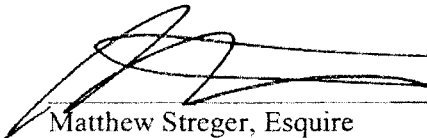
I have read and I understand the terms of
this order and agree to be bound by it.
I consent to the entry of this Order.



LISA CIARDI, PT

Date: 5/16/13

This Order is agreed to as to form
and entry.



Matthew Streger, Esquire
Attorney for Lisa Ciardi, P.T.

payment as required by this Order will result in the filing of a Certificate of Debt, including interest and such other proceedings as permitted by law.

BOARD OF PHYSICAL THERAPY EXAMINERS

By: Karen Wilk P.T., D.P.T. 400A00560100
Karen Wilk, P.T., D.P.T.
Chair

I have read and I understand the terms of
this order and agree to be bound by it.
I consent to the entry of this Order.

Lisa Ciardi
LISA CIARDI, PT

Date: 5/30/2013

This Order is agreed to as to form
and entry.

Matthew Stieger, Esquire
Matthew Stieger, Esquire
Attorney for Lisa Ciardi, P.T.